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May 29, 2002

OFFICE OF THE
EXECUTIVE SECRETARY

David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: Generic Docket on Performance Measurements
Docket No. 01-00193

Dear Mr. Waddell:

Enclosed please find the original and thirteen copies of WorldCom's Motion for Clarification which we would appreciate your filing in the above-referenced docket.

Thank you for your attention to this matter.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By 

Jon E. Hastings

JEH/th

Enclosures

cc: Parties of Record

POSTED

BEFORE THE TENNESSEE REGULATORY AUTHORITY

In Re: Docket to Establish Generic)
Performance Measurements, Benchmarks) Docket No. 01-00193
and Enforcement Mechanisms for)
BellSouth Telecommunications, Inc.)

WORLDCom MOTION FOR CLARIFICATION

Brooks Fiber Communications of Tennessee, MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc., (collectively "WorldCom"), hereby files its Motion for Clarification in this docket. WorldCom strongly supports the Authority's May 14, 2002 Order in this matter. As with most complex matters decided in a contested case proceeding, it is very difficult to hammer down each detail just right and with enough clarity to work in the plan. WorldCom supports the limited Motion for Clarification/Reconsideration filed by the CLEC Coalition in this matter. Additionally, WorldCom respectfully requests that the Authority revisit three items in its Order, as set forth below.

ARGUMENT

WorldCom greatly appreciates the Authority's decision, which allows Tennessee to become one of the first states in the nation to include diagnostic special access metrics in its performance plan (Exhibit B). Evaluation of BellSouth's performance regarding these critical "last mile" facilities is essential to insuring high quality, non-discriminatory service for both competitors and business customers. WorldCom further appreciates the Authority's recognition that a clear, concise and comprehensive set of performance

metrics is required to accomplish this task, and in that regard raises three specific issues on which it seeks clarification or reconsideration by the Authority.

1. The first metric adopted in Exhibit B is “ASR Response.” This metric is apparently intended to stand in lieu of two ordering metrics proposed by WorldCom – “FOC Receipt” and “FOC Receipt Past Due.” Unfortunately, the metric as adopted does not entirely capture performance for either of these.

With respect to “FOC Receipt,” some rather modest amendments to the “ASR Response” metric would clarify the metric and ensure that performance is appropriately captured. It seems that the Authority attempted to mesh the proposed WorldCom “FOC Receipt” metric with a related metric that was adopted in New York. Yet the blended metric does not clearly capture what is to be measured. As proposed, WorldCom's metric, “FOC Receipt,” defined this critical first step in the Special Access Ordering Process as follows: “The Firm Order Confirmation (“FOC”) is the ILEC response to a WorldCom Access Service Request (“ASR”), whether an initial or supplemental ASR, that provides WorldCom with the specific due date on which the requested circuit or circuits will be installed.” The similar New York metric, “Percent On Time ASR Response (electronic - no flow through)” is defined as: “This metric measures Response Timeliness in terms of the percentage of responses . . . with either a firm in-service date or an estimated in-service date where facilities are not currently available.” The New York description goes on to qualify “Facility Checks,” yet the Authority's ordered version does not include these (even though the Authority includes a definition for Facility Check in its Glossary appended to the metrics.)

The Authority's description of the "ASR Response" is "the BellSouth response to a valid ASR, whether an initial or supplemental ASR, that provides a specific due date via and (sic) FOC or an estimated completion date based on an engineering estimate." To make it clear that a Firm Order Confirmation must be issued in response to an ASR whenever facilities are available, WorldCom requests the Authority incorporate WorldCom's proposed definition of a FOC.¹ Further, to ensure that Bellsouth provides an estimated date only when facilities are not available, WorldCom requests that the wording "where facilities are currently not available" be added. WorldCom requests that the definition for ASR Response be amended as follows:

Access Service Request (ASR) Response -- is the BellSouth response to a valid ASR, whether an initial or supplemental ASR, that provides via a Firm Order Confirmation (FOC) a specific due date ~~via and FOC or an estimated completion date based on an engineering estimate.~~ on which the requested circuit(s) will be installed or an estimated completion date based on an engineering estimate where facilities are currently not available.

The amended definition will ensure that BellSouth provides a FOC due date in instances in which facilities are available, and an estimated due date when facilities are not available.

2. In WorldCom's proposed special access metrics, the second Ordering metric was "FOC Receipt Past Due." The Authority's performance plan does not contain

¹ **Firm Order Confirmation ("FOC")** - The notice returned from the ILEC, in response to an Access Service Request that confirms receipt of the request that a facility check has been made, and that a service request has been created with an assigned due date.

An Unsolicited FOC is a supplemental FOC issued by the ILEC to change the due date or for other reasons, although no change to the ASR was requested.

a metric that captures the information that the "FOC Receipt Past Due" metric would capture.

Whereas the WorldCom "FOC Receipt" and the Authority's "ASR Response" metrics tally those FOCs that *are* returned, this measure -- "FOC Receipt Past Due" -- tracks "clean" ASRs that have been sent to the ILEC *but have not received a FOC in response*, as of the end of the reporting period. The result is expressed as a percentage of the total number of ASRs sent during the reporting period. Experience has shown that issues with ILEC work-load, staff reductions, or other problems, can result in some ASRs that simply are not replied to. Without a metric like this one, these problems will go undetected. Worse yet, with no tracking of ASRs that are not responded to or how long these remain past due, BellSouth might find it convenient at times simply to deliberately fail to respond to certain ASRs, as the lack of response and tardiness of response would not have to be reported. This would have an obvious harmful impact on competing carriers' customers and competing carriers' reputations.

Today, competitors and business users need a means of determining when ASRs are not being responded to before the problem becomes chronic or reaches unacceptably high levels. The inability to access FOCs in a timely manner affects competitors' ability to meet end-user expectations. Past due FOCs often result in individual case escalations which are burdensome and resource-draining for both competitors and ILECs.

For these reasons, WorldCom requests that the Authority reconsider adding "FOC Receipt Past Due" as part of its diagnostic special access reporting metrics. Details for this metric were set forth in the attachment to the Testimony of Karen Furbish, filed with the Authority on August 10, 2001. Since that time, the competitive industry, together

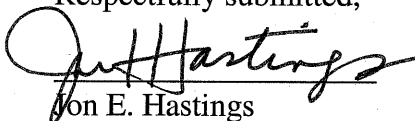
with the eCommerce & Telecommunications Users Group representing large telecommunications users, has come together as the Joint Competitive Industry Group ("JCIG") to support a single set of metrics. That set of metrics includes "FOC Receipt Past Due," which is seen as critical by both the competitive telecommunications industry and large users of telecommunications services. This metric as set forth in the JCIG proposal may have slightly different wording than that set forth in WorldCom's August 10, 2001 testimony, but it is very similar and captures the same information.

3. The Authority's Access Provisioning metric "Days Late" includes an exclusion for "Expedites." Therefore, if expedited orders are not completed on time, they are not tracked at all. WorldCom believes BellSouth must be held accountable for measuring on-time performance on Expedited circuits just as for other circuits, particularly given that BellSouth would have confirmed their ability to meet the expedited due date via the FOC they issue in response to the expedite request. Companies pay a premium for Expedites, which, obviously, are ordered when service is needed quickly. By excluding Expedites from the metric, there will be no tracking of how late BellSouth is with expedited special access orders. WorldCom requests that Expedites be removed from the list of exclusions for this metric.

CONCLUSION

WorldCom has limited its request for clarification/reconsideration to those few changes it believes are truly important for the Authority to revisit and reiterates its support for the large majority of the Authority's performance plan.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via facsimile or hand delivery, to the following on this the 29th day of May, 2002.

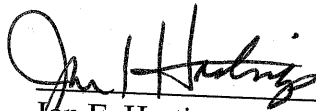
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